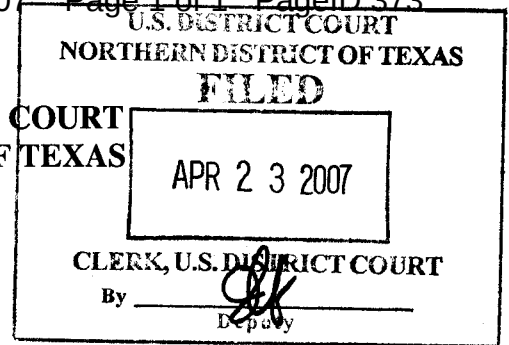


City M & County BH

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



WILLIE ARTHUR SNEED, #48281,

Plaintiff,

v.

LEIGH DIXON, et al.,

Defendants.

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Civil Action No. 3:06-CV-59-M (BH)

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, & RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

The Court has under consideration the Findings, Conclusions, & Recommendation of the United States Magistrate Judge on Defendant's *Motion for Summary Judgment*, filed September 15, 2006. No objections were filed. The District Court reviewed the proposed Findings, Conclusions, & Recommendation for plain error. Finding none, the Court accepts the Findings, Conclusions, & Recommendation of the United States Magistrate Judge.

Defendant's *Motion for Summary Judgment*, filed May 22, 2003, is **GRANTED in part**. Defendant is entitled to qualified immunity for his use of force on May 1, 2004, and for the search and seizure and arrest on March 9, 2005. Plaintiff's claims of false arrest on May 1, 2004, and March 5, 2005, and claim of illegal search and seizure on March 5, 2005, are hereby **DISMISSED with prejudice** until such time as Plaintiff can satisfy the conditions set forth in *Heck v. Humphrey*, 512 U.S. 477 (1994).

SIGNED this 23 day of April, 2007.


BARBARA M. G. LYNN
UNITED STATES DISTRICT JUDGE